

1 ROBERT E. COOPER, SBN 35888
2 PETER SULLIVAN, SBN 101428
3 SAMUEL G. LIVERSIDGE, SBN 180578
4 GIBSON, DUNN & CRUTCHER LLP
5 333 South Grand Avenue
6 Los Angeles, California 90071-3197
7 Telephone: (213) 229-7000
8 Facsimile: (213) 229-7520
9 email: sliversidge@gibsondunn.com

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6 MICHAEL J. HOLSTON*
7 JOHN F. SCHULTZ*
8 ROBERT A. PARTICELLI*
9 MORGAN LEWIS & BOCKIUS LLP
10 1701 Market Street
11 Philadelphia, Pennsylvania 19103
12 Telephone: (215) 963-5000
13 Facsimile: (215) 963-5001

14 Attorneys for Defendant,
15 HEWLETT-PACKARD COMPANY

12 UNITED STATES DISTRICT COURT
13 NORTHERN DISTRICT OF CALIFORNIA
14 SAN JOSE DIVISION

16 In re: HP INKJET PRINTER LITIGATION

MASTER FILE NO. C053580 JF

18 This Document Relates To:

20 All Actions

17 **STIPULATION TO: (1) ESTABLISH A
BRIEFING SCHEDULE AND HEARING
DATE FOR DEFENDANT HEWLETT-
PACKARD COMPANY'S MOTION TO
DISMISS PLAINTIFFS' SECOND
CONSOLIDATED AND AMENDED
COMPLAINT, AND (2) EXTEND THE
TIME FOR THE PARTIES TO
COMPLETE NON-BINDING MEDIATION
PURSUANT TO CIVIL L.R. 16-8 AND
ADR L.R. 3-5**

1 WHEREAS, plaintiffs filed and served a Second Consolidated and Amended Class Action
2 Complaint for Damages and Injunctive Relief ("Second Amended Complaint") on March 31, 2006;

3 WHEREAS, defendant Hewlett-Packard Company ("HP") intends to file a Motion to Dismiss
4 plaintiffs' Second Amended Complaint;

5 WHEREAS, the parties have agreed on a briefing schedule and hearing date for HP's Motion
6 to Dismiss plaintiffs' Second Amended Complaint;

7 WHEREAS, on January 13, 2006, pursuant to the stipulation of the parties under Civil L.R.
8 16-8 and ADR L.R. 3-5, this Court entered an Order requiring the parties to complete non-binding
9 mediation in this matter within ninety (90) days of the Court's Order;

10 WHEREAS, the parties initially scheduled a mediation session for March 22, 2006, pursuant
11 to the Court's Order;

12 WHEREAS, plaintiffs subsequently indicated that they would prefer to postpone the
13 mediation until they have had the opportunity to obtain and review additional production documents
14 from HP;

15 WHEREAS, plaintiffs believe that they will be in a better position to move forward with
16 meaningful and informed settlement discussions in this matter if they first have the opportunity to
17 obtain and review additional production documents from HP.

18 THEREFORE, IT IS HEREBY STIPULATED AND AGREED by and between the
19 undersigned counsel that:

20 1. HP's Motion to Dismiss plaintiffs' Second Amended Complaint shall be filed and served
21 on or before April 21, 2006;

22 2. Plaintiffs' brief in opposition to HP's Motion to Dismiss shall be filed and served on or
23 before May 12, 2006;

24 3. HP's reply brief shall be filed on or before May 22, 2006;

25 4. The hearing on HP's Motion to Dismiss shall take place on June 2, 2006, at 9:00 a.m., or as
26 soon thereafter as the matter may be heard by the Court; and

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1 5. The parties agree to participate in private non-binding mediation to be conducted through
2 JAMS within one hundred twenty (120) days of the date of the attached [proposed] Order.

3 IT IS SO STIPULATED.

4 DATED: April 17, 2006

GIBSON, DUNN & CRUTCHER LLP

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6 By: 
7 Samuel G. Liversidge

8 Attorneys for HEWLETT-PACKARD COMPANY

9
10 DATED: April 17, 2006

COTCHETT, PITRE, SIMON & McCARTHY

11 By: 
12 Bruce Simon

13 Co-Lead Counsel For Plaintiffs and the Class
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[PROPOSED] ORDER

Pursuant to the Stipulation above, it is hereby ORDERED that:

1. HP's Motion to Dismiss plaintiffs' Second Amended Complaint shall be filed and served on or before April 21, 2006;
2. Plaintiffs' brief in opposition to HP's Motion to Dismiss shall be filed and served on or before May 12, 2006;
3. HP's reply brief shall be filed on or before May 22, 2006;
4. The hearing on HP's Motion to Dismiss shall take place on June 2, 2006, at 9:00 a.m.; and
5. The parties shall participate in private non-binding mediation to be conducted through JAMS within one hundred twenty (120) days of the date of this Order

IT IS SO ORDERED.

DATED: 4/27/06.


THE HONORABLE JEREMY FOGEL
UNITED STATES DISTRICT JUDGE

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